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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DEREK HANSEN, as an individual, on behalf
of himself, the general public and those
similarly situated,

Plaintiff,

v.

TICKETMASTER ENTERTAINMENT, INC.
and LIVE NATION ENTERTAINMENT CO.,

Defendants.

Case No. 3:20-cv-02685-EMC

JOINT STIPULATION AND
~~PROPOSED~~ ORDER SETTING
BRIEFING SCHEDULE AND
CONTINUING CASE MANAGEMENT
CONFERENCE

[Civil Local Rule 6-2]

Assigned to: Honorable Edward M. Chen

1 Defendants Live Nation Entertainment, Inc. and Ticketmaster LLC¹ (together,
2 “Defendants”) and Plaintiff Derek Hansen hereby stipulate and agree, through their undersigned
3 counsel and pursuant to Civil Local Rule 6-2, to the following schedule, subject to the approval of
4 the Court. In support of this joint stipulation, the parties state as follows:

5 1. Plaintiff filed his Complaint on April 17, 2020. ECF No. 1.

6 2. On May 5, 2020, pursuant to Local Rule 6-1(a), the parties filed a joint stipulation
7 that extended Defendants’ time to answer or otherwise respond to the Complaint from May 12,
8 2020 to June 11, 2020. ECF No. 14.

9 3. Defendants, after reviewing the allegations in the Complaint and conducting an
10 initial investigation of the claims therein, have determined that they will move to compel
11 arbitration on the ground that Plaintiff’s claims are subject to a mandatory arbitration provision.
12 Plaintiff intends to oppose that motion. If that motion is unsuccessful, Defendants also intend to
13 file a motion to dismiss, which Plaintiff will oppose.

14 4. The parties have conferred and agree that, while the motion to compel arbitration
15 is pending, it would be premature to brief and litigate a motion to dismiss. To that end, in the
16 interest of promoting the most efficient use of the parties’ and the Court’s resources, the parties
17 have agreed to (1) brief and resolve Defendants’ motion to compel arbitration before litigating any
18 motion to dismiss, and (2) continue the initial case management conference, which is currently
19 scheduled for August 6, 2020, to give the Court a chance to rule on Defendants’ motion to compel
20 arbitration before holding the conference.

21 5. The parties have therefore agreed to the following briefing schedule:

22 a. Defendants shall file their motion to compel arbitration on or before June 29,
23 2020.

24 b. Plaintiff shall file any opposition on or before July 29, 2020.

25 c. Defendants shall file any reply on or before August 28, 2020.

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28 ¹ Defendants Ticketmaster LLC and Live Nation Entertainment, Inc. were incorrectly sued as
Ticketmaster Entertainment, Inc. and Live Nation Entertainment Co.

- 1 d. Subject to the Court's availability, any hearing on Defendants' motion to
2 compel arbitration shall be held on October 8, 2020, or as soon thereafter as the
3 Court's calendar allows.
- 4 e. Defendants need not respond to the Complaint while their motion to compel
5 arbitration is pending. If the Court denies Defendants' motion to compel
6 arbitration, Defendants shall file their response to the Complaint within twenty-one
7 (21) days after the Court issues an order denying that motion; Plaintiff shall file any
8 opposition twenty-one (21) days following the filing of Defendants' motion to
9 dismiss; and Defendants shall file any reply fourteen (14) days following the filing
10 of Plaintiff's opposition.
- 11 f. Any hearing on the motion to dismiss shall be held as the Court's calendar allows.
- 12 g. The initial case management conference shall be continued to the second Thursday
13 following the motion to dismiss hearing at 9:30 a.m., with the deadline to meet and
14 confer pursuant to Federal Rule of Civil Procedure 26(f) set for 21 days prior to the
15 case management conference, and with the deadline for filing of the parties' joint
16 case management statement no later than seven (7) days prior to the conference.
- 17 6. As explained above, on May 5, 2020, the parties stipulated pursuant to Local Rule
18 6-1(a) to extend Defendants' time to answer or otherwise respond to the Complaint. *See* ECF
19 No. 14. The parties have not previously stipulated to any other extensions of time.
- 20 The parties therefore agree and stipulate to the above dates.

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22 *[Signatures on following page]*
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1 Dated: May 26, 2020

Respectfully Submitted,

2 LATHAM & WATKINS LLP

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4 By: /s/ Timothy L. O'Mara
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9 *Attorneys for Defendants Ticketmaster LLC
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10 Dated: May 26, 2020

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17 *Attorneys for Plaintiff Derek Hansen*

18 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

19 Dated: May 27, 2020

20 
Hon. Edward M. Chen
United States District Judge